

WORKER'S DISABILITY COMPENSATION ACT OF 1969 (EXCERPT)
Act 317 of 1969

418.210 Development of written examination; administration of written examination to applicants for position of worker's compensation magistrate; interviews; appointment of qualified applicants; pamphlets.

Sec. 210. (1) The qualifications advisory committee, in consultation with the board of magistrates, shall develop a written examination. The examination shall be administered to applicants for the position of worker's compensation magistrate in order to determine the applicant's ability and knowledge with regard to worker's compensation in the following areas:

- (a) Knowledge of this act.
- (b) Skills with regard to fact finding.
- (c) The Michigan rules of evidence.
- (d) A basic understanding of human anatomy and physiology.

(2) An applicant for the position of worker's compensation magistrate, including those persons who were employed as hearing referees under this act on or before March 31, 1987, who successfully completes the examination provided for under subsection (1) or who has not less than 5 years experience as an attorney in the field of worker's compensation shall be interviewed by the qualifications advisory committee for the position of worker's compensation magistrate. To meet the requirement of 5 years' legal experience as an attorney in the field of worker's compensation, an applicant must document to the qualifications advisory committee a period of time totaling 5 years during which the applicant met 1 of the following criteria:

(a) A significant portion of the applicant's personal practice has been in active worker's compensation trial practice representing claimants or employers.

(b) A significant portion of the applicant's personal practice has been in active worker's compensation appellate practice representing claimants or employers.

(c) Service as a member of the former worker's compensation appeal board or the worker's compensation appellate commission.

(3) The qualifications advisory committee, after completing personal interviews of the eligible applicants, shall determine which of the applicants are considered qualified for the position of worker's compensation magistrate. A person determined to be qualified before this 1994 amendatory act shall continue to be considered qualified after the effective date of this 1994 amendatory act. The personal interviews shall be used to determine the applicant's suitability for the position, especially with regard to his or her objectivity.

(4) The governor shall appoint only an applicant determined to be qualified by the qualifications advisory committee as a worker's compensation magistrate for each available position pursuant to section 213.

(5) The department of labor may develop pamphlets to assist those persons who desire to take the examination for worker's compensation magistrate.

History: Add. 1985, Act 103, Imd. Eff. July 30, 1985;—Am. 1994, Act 271, Imd. Eff. July 11, 1994.

Compiler's note: For legislative intent as to severability, see Compiler's note to MCL 418.213.

For abolishment of the qualifications advisory committee and establishment of the new qualifications advisory committee within the worker's compensation agency, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

Popular name: Act 317